IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No 519 of 1996

For Approval and Signature:

HON'BLE MR.JUSTICE J.R.VORA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GANDARPASINH MUNSHISINH

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Appeal No. 519 of 1996

MR MAHENDRA K PATEL for Appellant No.

MR HL JANI Ld. APP for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE J.R.VORA

Date of decision: 14/10/2004

ORAL JUDGEMENT

1. This criminal appeal is filed under sec. 374(2) of Code of Criminal Procedure against the judgment and order dated 31.5.1996 in Sessions Case No. 271/1995

delivered by the ld. Addl. Sessions Judge, Court No. 17, Ahmedabad, convicting the present appellant for the offence proved against him under sec. 307 of Indian Penal Code and sentencing him to undergo R/I for 5 years and to pay fine of Rs. 1000/-. The appellant also came to be convicted for the offence under sec. 135(1) of the Bombay Police Act and was sentenced to undergo imprisonment of one month.

2. This appeal came to be admitted by this court vide order dated 24.9.1996.

3. Ld. advocate Mr. MK Patel for the appellant and Mr. HL Jani ld. APP for the respondent-State were heard.

4. Ld. APP Mr. Jani places on record a communication addressed to him by Sub Jailor, Central Jail, Ahmedabad, and said communication is dated 13.10.2004. It is indicated in the said communication that after completing the service of sentence, the appellant is released from jail on 18.6.1998. Thus, when the appellant has undergone the sentence imposed upon him and has been released from jail as back as in the year 1998, this appeal now became infructuous. Therefore, following order.

5. In view of the above, this appeal has become infructuous and stands disposed of accordingly.

(J.R. VORA, J.)
mandora/